

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION

AFTER HOURS DEPOSITORY
Thomas M. Gould, Clerk
U. S. District Court
W. D. OF TN, Memphis

DANIEL J. HAVENS and
ASHLEY HAVENS,

Plaintiffs,

vs.

Civil Action No. 05-2553 Map

STONEBRIDGE LIFE INSURANCE
COMPANY f/k/a J.C. PENNY LIFE
INSURANCE COMPANY,

Defendant.

MOTION GRANTED

U.S. MAGISTRATE JUDGE

August 31, 2005
DATE

FILED BY
D.C.

05 SEP - 1 AM 9:15

THOMAS M. GOULD
CLERK U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

**MOTION OF STONEBRIDGE LIFE INSURANCE COMPANY
f/k/a J.C. PENNY LIFE INSURANCE COMPANY FOR
EXTENSION OF TIME WITHIN WHICH TO RESPOND TO PLAINTIFFS'
COMPLAINT FOR LIFE INSURANCE PROCEEDS, STATUTORY PENALTIES, AND
ATTORNEY FEES**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 7.2, defendant, Stonebridge Life Insurance Company f/k/a J.C. Penny Life Insurance Company, hereby moves this Court for an Order extending its time within which to respond to plaintiffs' Complaint for Insurance Proceeds, Statutory Penalties, and Attorney Fees in this cause, for an additional period of fourteen (14) days from the date when a response is due on August 30, 2005, up to and including September 13, 2005. As is indicated in the Certificate of Consultation filed contemporaneously herewith, counsel for plaintiffs consents to the relief sought in this Motion. Counsel for defendant states that he continues to investigate the allegations contained in

plaintiffs' Complaint for Insurance Proceeds, Statutory Penalties, and Attorney Fees, and he needs additional time to obtain such information.

WHEREFORE, premises considered, defendant requests that this Court extend the time within which it must respond to plaintiffs' Complaint for Insurance Proceeds, Statutory Penalties, and Attorney Fees in this cause an additional period, up to and including September 13, 2005.

Respectfully submitted,

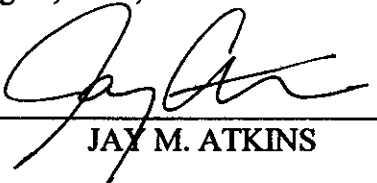
LEITNER, WILLIAMS, DOOLEY & NAPOLITAN, PLLC

By: 

JAY M. ATKINS #21371
Attorneys for Defendant
254 Court Avenue, Second Floor
Memphis, TN 38103
(901) 527-0214

CERTIFICATE OF SERVICE

I, the undersigned attorney, do hereby certify that the foregoing document has been delivered to all parties of counsel or parties at interest as indicated in this cause by placing a copy of same in the United States Mail, postage prepaid, in a properly addressed envelope, or by hand delivering same to each such attorney on this 20th day of August, 2005, to Ron W. McAfee, 251 Adams Avenue, Memphis, Tennessee 38103.


JAY M. ATKINS



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02553 was distributed by fax, mail, or direct printing on September 7, 2005 to the parties listed.

Ron W. McAfee
LAW OFFICE OF RON W. MCAFEE
251 Adams Ave.
Memphis, TN 38103

Jay Marshall Atkins
LEITNER WILLIAMS DOOLEY & NAPOLITAN-Memphis
254 Court Ave.
Second Floor
Memphis, TN 38103

Honorable Samuel Mays
US DISTRICT COURT